

and trustworthy. Such desire which exists very vividly in certain groups (NGOs and even political parties) has to be supported and strengthened by all means possible.

We trust that this briefing will create a more open-minded and positive discussion among us and with those who are longing to see an improvement in Indonesia.

Thank you very much for allowing us to come and share information with you.

MASS RIOTS IN INDONESIA  
THE BEGINNING OF THE END

Generally, there are three social symptoms that are usually called "riot" in late 90's Indonesian press literature. The first is insurrection (unarmed popular uprising), the second is mob looting, and the third is widespread gang-fights that cause much destruction.

These three social symptoms begun to make their heavy presence after the 27th of July 1996 forced takeover of the PDI Headquarters in Jl. Diponegoro, Jakarta.

There were riots around the 1997 election. After that, until May 1998, situation seemed calm and under control.

But in May 1998, riot came back and took many victims. The riot broke after the military gunned down four Trisakti students demonstrating on the May 13th. The mass came in thousand in spirit of revenge. After small scale clashes with the police, the mass began burning and looting buildings.

What makes the May 14th-16th riot significant is the allegation that there were organized rapes done while riot was in progress. The facts show that there were a lot of rapes, while it remains to be proven legally that the rapes were organized deliberately.

The second fact that is quite shocking is that the military did admit that they have known all along that the riot was going to happen. The Chief Director of the BIA (Army Intelligent Service), Zacky Anwar Makarim said so (KOMPAS, September 3rd, 1998). Zacky also said that the presence of "local agitators" was known.

Riots broke again in July 1st-7th, 1998 in Jayapura, West Papua. A riot also broke in Kebumen, Central Java, on September 7th as a result of a personal quarrel between a shop owner and a local gangster (reports from local correspondent). Riot also broke in Bagansiapi-api, North Sumatra, on September 15th, as a result of personal quarrel between gangsters.

Then came the famous "ninja" rumors that said that several organized killers disguised as ninjas were on the loose and taking liberty to kill alleged "dunkun santet" (a kind of evil shaman). The rumors that begun spreading in Banyuwangi, East Java, in September 1998 has took lives of innocent kyais (Muslim religious leaders).

The most significant series of riots begun after the November 13th-14th uprising. On November 14th, a small-scale clash between the people and some military personnel nearly incite a riot. But the students managed to prevent it (KOMPAS, May 15th, 1998). But the student were caught by surprise when in Ketapang, North Jakarta, on November 15th, a riot broke. Riot of the same kind also occurred in Kupang, West Flores Island.

Another riot broke in Porsea, North Sumatra, on November 23rd. This time, the captured provocateurs revealed that they were paid and at the same time threatened not to rebuke the wish of the men that paid them (ANTARA, November 24th, 1998).

At the end of the year, a riot broke in Poso, Central Sulawesi, which occurred be-

tween December 25th and 30th. There are not many data on this riot.

At the same time, riot broke in Belawan, North Sumatra, which was incited by a personal quarrel between two of the population over a pair of shoes.

Then came the real shock when a usually peaceful city, Karawang, West Java, broke its tradition and fell into riot.

The second most significant area is Ambon, capital of Maluku islands, where a riot broke on January 19th, 1999.

What interesting is that one of the alleged provocateur confessed that there is an involvement of "people from Jakarta", though the local Police Commander won't disclose further (ANTARA, January 25th, 1999).

The systematic use of violence by intelligent services can be summed up if we read the manual (Vademecum of Defense and Security) issued by SESKOAD (Academy for Army Staff of Command) which usually produces top agents for those services. One of the chapters deals with the rule when using tortures on captured prisoners.

It is also well known that these intelligent services also make a full use of local gangster to intimidate the oppositions. There are paramilitary groups supervised directly by local army commands: AMS (Siliwangi Youth) trained, armed, and supervised by the 3rd Military Region (code-named Siliwangi), AMD (Diponegoro Youth) same treatment by 4th Military Region (code-named Diponegoro). When counter demonstration (which shows support to the government) arose, the participants usually came from these Youths or other Youths such as Pemuda Pancasila (Pancasila Youth) or Pemuda PancaMarga, the foremost-two whose leaders have personal relation with Suharto himself. This so-called "counter-demonstrations" usually aims for a violence physical contact between group making rally. These Youths always carry weapons, at occasions they carry guns.

It feels a little uncomfortable when we read that some of the riots were instigated by quarrels between local gangster. Or in Banyuwangi case, indicates a direct involvement of those criminals. Or in Porsea case, paid thugs carried out the whole job. It is also very possible that the ones starting looting the shops are also those criminals. They have guts to rob people in broad daylight, surely they would be the first to see that chaos is the best time to loot.

There has been a proof that there were provocateurs in May 14th-15th Riot. The possibility is very high that all other riots are also results of provocations. And Intelligent Services are the best in this business.

Washington, DC, Feb. 8, 1999.

Solidaritas Nusa Bangsa.

ESTER JUSUF, SH,  
Chairwoman.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 19 (Kucinich amendment to H.R. 391), I was unavoidably detained. Had I been present, I would have voted "yea."

TRIBUTE TO HOUSE  
IMPEACHMENT MANAGERS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mr. CRANE. Mr. Speaker, as the impeachment trial to President Clinton approaches its final act, I want to pay tribute to the managers on the part of the House, led by my distinguished friend from Illinois, HENRY HYDE. I thank them for enduring vitriolic attacks by the media, the President's minions, their constituents, and, sadly, some of their colleagues as they defended the law. Few of us have been put to a such a severe test as these manager-colleagues to prove allegiance to our sworn oath to "protect and defend the Constitution of the United States."

I worry about the moral health of our country when the modern-day justice system seems incapable of holding accountable celebrities who murder and presidents who lie. As has been asked so many times in recent weeks: "What do we tell our children?" Thankfully, we can hold up to the children men like our House managers as examples of Americans willing to sacrifice themselves for the benefit of our great nation.

I was unable to witness the closing arguments made by Mr. HYDE, but instead read his script. I consider him to be the House's finest orator and, as I read his statement, I imagined with my mind's eye his passionate call to duty. I only hope that his speech similarly stirred our Senate colleagues to "Let right be done."

I commend the entirety of Mr. Manager HYDE's closing argument to the attention of my colleagues.

CLOSING ARGUMENT OF REPRESENTATIVE  
HENRY J. HYDE, IMPEACHMENT TRIAL MANAGER

Mr. Chief Justice, learned counsel, and the Senate, we are blessedly coming to the end of this melancholy procedure, but before we gather up our papers and return to the obscurity from whence we came, please permit me a few final remarks.

First of all, I want to thank the chief justice not only for his patience and his perseverance but for the aura of dignity that he has lent to these proceedings, and it has been a great thrill really to be here in his company as well as in the company of you distinguished senators.

Secondly, I want to compliment the president's counsel. They have conducted themselves in the most professional way. They have made the most of a poor case, in my opinion.

Excuse me. There's an old Italian saying, that has nothing to do with the lawyers, but to your case, and it says: "You may dress the shepherd in silk, but he will still smell of the goat."

But all of you are great lawyers and it's been an adventure being with you.

You know, the legal profession, like politics, is ridiculed pretty much, and every lawyer feels that and understands the importance of the rule of law—to establish justice, to maintain the rights of mankind, to defend the helpless and the oppressed, to protect innocents, to punish guilt. These are duties which challenge the best powers of man's intellect and the noblest qualities of the

human heart. We are here to defend that bulwark of our liberty, the rule of law. As for the House managers, I want to tell you and our extraordinary staff how proud I am of your service. For myself, I cannot find the words to adequately express how I feel. I must use the inaudible language of the heart. I've gone through it all by your side, the media condemnations, the patronizing editorials, the hate mail, the insults hurled in public, the attempts at intimidation, the death threats, and even the disapproval of our colleagues, which cuts the worst.

You know, all a congressman ever gets to take with him when he leaves this building is the esteem of his colleagues and his constituents. We've risked that for a principle and for our duty as we've seen it.

In speaking to my managers of whom I am terminally proud, I can borrow the words of Shakespeare's "Henry V," as he addressed his little army of longbowmen at the battle of Agincourt, and he said: "We few—we happy few, we band of brothers. For he who sheds his blood with me shall be my brother. And gentlemen in England now abed will curse the fact that they are not here and hold their manhood cheap when any speaks who fought with us on St. Crispin's Day."

As for the juror judges, you distinguished senators, it's always a victory for democracy when its elected representatives do their duty no matter how difficult and unpleasant, and we thank you for it.

Please don't misconstrue our fervor for our cause to any lack of respect or appreciation for your high office. But our most formidable opponent has not been opposing counsel nor any political party. It's been cynicism—the widespread conviction that all politics and all politicians are by definition corrupt and venal. That cynicism is an acid eating away at the vital organs of American public life. It is a clear and present danger because it blinds us to the nobility and the fragility of being a self-governing people.

One of the several questions that needs answer is whether your vote on conviction lessens or enlarges that cynicism. Nothing begets cynicism like the double standard—one rule for the popular and the powerful and another for the rest of us.

One of the most interesting things in this trial was the testimony of the president's good friend, the former Senator from Arkansas. He did his persuasive best to maintain the confusion that this is all about sex.

Of course it's useful for the defense to misdirect our focus toward what everyone concedes are private acts and none of our business, but if you care to read the articles of impeachment, you won't find any complaints about private, sexual misconduct. You will find charges of perjury and obstruction of justice which are public acts and federal crimes, especially when committed by the one person duty bound to faithfully execute the laws.

Infidelity is private and non-criminal. Perjury and obstruction are public and criminal. The deliberate focus on what is not an issue here is the defense lawyer's tactic and nothing more. This entire saga has been a theater of distraction and misdirection. Time-honored defense tactics when the law and facts get in the way.

One phrase you have not heard the defense pronounce is the "sanctity of the oath," but this case deeply involves the efficacy, the meaning and the enforceability of the oath. The president's defenders stay away from the word "lie" preferring "mislead" or "deceived," but they shrink from the phrase "sanctity of the oath," fearing it as one might a rattlesnake.

There is a visibility factor in the president's public acts, and those which betray a trust or reveal contempt for the law are hard to sweep under the rug, or under the bed for that matter.

They reverberate, they ricochet all over the land and provide the worst possible example for our young people. As that third grader from Chicago wrote to me: "If you can't believe the president, who can you believe?"

Speaking of young people, in 1946 a British playwright, Terence Rattigan wrote a play based on a true experience that happened in England in 1910. The play was called "The Winslow Boy." And the story, a true story, involved a young 13-year-old lad who was kicked out of the Royal Naval College for having forged somebody else's signature on a postal money order.

Of course, he claimed he was innocent, but he was summarily dismissed and his family of very modest means couldn't afford legal counsel, and it was a very desperate situation. Sir Edward Carson, the best lawyer of his time—barrister I suppose—got interested in the case and took it on pro bono, and lost all the way through the courts.

Finally, he had no other place to go, but he dug up an ancient remedy in England called "petition of right." You ask the king for relief. And so Carson wrote out five pages of reasons why a petition of right should be granted. And lo and behold, it got past the attorney general and got to the king. The king read it, agreed with it, and wrote across the front of the petition: "Let right be done—Edward VII."

And I have always been moved by that phrase. I saw the movie, I saw the play, and I have the book, and I am still moved by that phrase "let right be done." I hope when you finally vote that will move you, too.

There are some interesting parallels to our cause here today. This Senate chamber is our version of the House of Lords, and while we managers cannot claim to represent that 13-year-old Winslow boy, we speak for a lot of young people who look to us to set an example.

Ms. Seligman last Saturday said we want to win too badly. This surprised me, because none of the managers has committed perjury, nor obstructed justice, nor claimed false privileges. None has hidden evidence under anyone's bed, nor encouraged false testimony before the grand jury. That's what you do if you want to win too badly.

I believe it was Saul Bellow who once said, "A great deal of intelligence can be invested in ignorance when the need for illusion is great." And those words characterize the defense in this case—the need for illusion is great.

I doubt there are many people on the planet who doubt the president has repeatedly lied under oath and has obstructed justice. The defense spent a lot of time picking lint. There is a saying in equity, I believe, that equity will not stoop to pick up pins. But that was their case. So the real issue doesn't concern the facts, the stubborn facts, as the defense is fond of saying, but what to do about them.

I am still dumbfounded about the drafts of the censures that are circulating. We aren't half as tough on the president in our impeachment articles as this draft is that was printed in the New York Times. "An inappropriate relationship with a subordinate employee in the White House which was shameless, reckless and indefensible."

I have a problem with that. It seems they're talking about private acts of consen-

sual sexual misconduct, which are really none of our business. But that's the lead-off.

Then they say the president "deliberately misled and deceived the American people and officials in all branches of the United States government." This is not a Republican document. This is coming from here.

"The president gave false or misleading testimony and impeded discovery of evidence in judicial proceedings." Isn't that another way of saying obstruction of justice and perjury? "The president's conduct demeans the office of the president as well as the president himself, and creates disrespect for the laws of the land."

Future generations of Americans must know that such behavior is not only unacceptable, but bears grave consequences, including loss of integrity, trust, and respect—but not loss of job.

"Whereas William Jefferson Clinton's conduct has brought shame and dishonor to himself and to the office of the president; whereas he has violated the trust of the American people (see Hamilton Federalist Number 65), and he should be condemned in the strongest terms." Well, the next-to-the-strongest terms—the strongest terms would remove him from office.

Well, do you really cleanse the office as provided in the Constitution? Or do you use the air-wick of a censure resolution? Because any censure resolution, to be meaningful, has to punish the president—if only his reputation. And how do you deal with the laws of bill of attainder? How do you deal with the separation of powers? What kind of a precedent are you setting?

We all claim to revere the Constitution, but a censure is something that is a device, a way of avoiding the harsh Constitutional option, and it's the only one you have, either up or down on impeachment.

That, of course, is your judgment, and I am offering my views for what they're worth. Once in a while I do worry about the future. I wonder if after this culture war is over that we're engaged in, if an America will survive that's worth fighting to defend. People won't risk their lives for the UN or over the Dow Jones averages, but I wonder in future generations whether there'll be enough vitality left in duty, honor and country to excite our children and grandchildren to defend America.

There's no denying the fact what you decide, will have a profound effect on our culture as well as on our politics. A failure to convict will make a statement that lying under oath, while unpleasant and to be avoided is not all that serious. Perhaps we can explain this to those currently in prison for perjury.

We have reduced lying under oath to a breach of etiquette, but only if you are the president. Wherever and whenever you avert your eyes from a wrong, from an injustice, you become a part of the problem. On the subject of civil rights, it's my belief this issue doesn't belong to anyone. It belongs to everyone. It certainly belongs to those who have suffered invidious discrimination and one would have to be catatonic not to know that the struggle to keep alive equal protection of the law never ends.

The mortal enemy of equal justice is the double standard and if we permit a double standard, even for the president, we do no favor to the cause of human rights. It's been said that America has nothing to fear from this president on the subject of civil rights.

I doubt Paula Jones would subscribe to that endorsement. If you agree that perjury and obstruction of justice have been committed, and yet you vote down the conviction, you're expending and expanding the

boundaries of permissible presidential conduct. You're saying a perjurer and an obstructor of justice can be president in the face of no less than three precedents for conviction of federal judges for perjury. You shred those precedents and you raise the most serious questions of whether the president is in fact subject to the law, or whether we are beginning a restoration of the divine rights of kings.

The issues we're concerned with have consequences far into the future, because the real damage is not to the individuals involved, but to the American system of justice and especially the principle that no one is above the law.

Edward Gibbon wrote his magisterial "Decline and Fall of the Roman Empire" in the late 18th century. In fact, the first volume was published in 1776. In his work, he discusses an emperor named Septimus Severus who died in 211 A.D. after ruling 18 years. And here's what Gibbon wrote about the emperor: "Severus promised only to betray; he flattered only to ruin: and however he might occasionally bind himself by oaths and treaties, his conscience, obsequious to his inter-

## EXTENSIONS OF REMARKS

est, always released him from the inconvenient obligation."

I guess those who believe history repeats itself are really onto something. Horace Mann said: "You should be ashamed to die unless you have achieved some victory for humanity." To the House managers, I say your devotion to duty and the Constitution has set an example that is a victory for humanity. Charles de Gaulle once said France would not be true to herself if she wasn't engaged in some great enterprise. That's true of us all. We spend our short lives as consumers, space occupiers, clock watchers, spectators—or in the service of some great enterprise.

I believe being a Senator, being a congressman, and struggling with all our might for equal justice for all is a great enterprise. It's our great enterprise. And to my House managers, your great enterprise was not to speak truth to power, but to shout it.

And now let us all take our place in history on the side of honor, and oh yes, let right be done.

*February 12, 1999*

### PERSONAL EXPLANATION

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 12, 1999*

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 20 (H.R. 391), I was unavoidably detained. Had I been present, I would have voted "nay."

### PERSONAL EXPLANATION

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 12, 1999*

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 21 (H.R. 437), I was unavoidably detained. Had I been present, I would have voted "yea."